

FIRE PREVENTION AND LIFE SAFETY

CHAPTER 109

[Amended in its entirety 12-18-98 by Ord. No. 20-98- amended 09-17-03 by Ord. No. 16-2003]

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**ARTICLE I
FIRE PREVENTION CODE**

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109-1. Statutory authority.

This Article is enacted pursuant to the authority granted by Section 22 of Chapter 47 and Chapter 156-A of the New Hampshire Revised Statutes Annotated.

109-2. Adoption of standards.

There is hereby adopted by the City of Dover, New Hampshire, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as "NFPA 1 Fire Prevention Code," being particularly the complete 2000 Edition thereof, save and except such portions as are hereinafter deleted, modified or amended, of which code not less than three (3) copies have been and now filed in the office of the Clerk of the City of Dover, New Hampshire, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of Dover, New Hampshire.

109-3. Bureau of Fire Prevention.

A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire & Rescue Service of the City of Dover, New Hampshire, which hereby established and which shall be operated under the supervision of the Chief of the Dover Fire & Rescue Service.

B. The Chief or officer in charge of the Bureau of Fire Prevention shall be appointed by the Chief of the Dover Fire & Rescue Service in accordance with the Merit Plan of the City of Dover, New Hampshire.

C. The Chief of the Dover Fire & Rescue Service may detail such members of the Fire & Rescue Service as inspectors as shall, from time to time, be necessary. The Chief of the Fire & Rescue shall recommend to the chief executive officer of the City of Dover, New Hampshire, the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the Dover Fire & Rescue Service, and appointments made after examination shall be for an indefinite term, with removal only for cause.

D. A report of the Bureau of Fire Prevention shall be made annually and transmitted to the chief executive officer of the municipality; it shall contain all proceedings under this code, with such statistics as the Chief of the Dover Fire & Rescue Service may wish to include therein. The Chief of the Dover Fire & Rescue Service shall also recommend any amendments to the code which, in his judgment, shall be desirable.

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109-4. Definitions.

CORPORATION COUNSEL - The Attorney for the City of Dover, New Hampshire.

MUNICIPALITY - The City of Dover, New Hampshire.

109-5. Storage of explosives and blasting agents.

The limits referred to in NFPA 1, Fire Prevention Code, 2000 Edition, Chapter 1, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: no area of the city without a permit from the Fire Chief.

109-6. Outdoor storage of flammable liquids; bulk plants.

- A. The limits referred to in NFPA 1, Fire Prevention Code, 2000 Edition, Chapter 1, in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as follows: no area of the city without a permit from the Fire Chief.
- B. The limits referred to in NFPA 1, Fire Prevention Code, 2000 Edition, Chapter 1, in which new bulk plants for flammable or combustible liquids are prohibited are hereby established as follows: no area of the city without a permit from the Fire Chief.

109-7. Bulk storage of liquefied petroleum gas.

The limits referred to in the NFPA 1, Fire Prevention Code, 2000 Edition, Chapter 1, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: no area of the city without a permit from the Fire Chief.

109-8. Routes for transport of explosives.

The routes referred to in NFPA 1, Fire Prevention Code, 2000 Edition, Chapter 1, for vehicles transporting explosives and blasting agents are hereby established as follows: Spaulding Turnpike.

109-9. Routes for transport of hazardous chemicals.

The routes referred to in NFPA 1, Fire Prevention Code, 2000 Edition, Chapter 1 for transporting hazardous chemicals and other dangerous articles are hereby established as follows: Spaulding Turnpike.

109-10. Fire lanes.

In addition to the requirements of Chapter 3 of NFPA 1, Fire Prevention Code, all premises, with the exception of one- and two-family dwellings, which the Fire & Rescue Service may be called upon to protect in case of fire and which are not readily accessible from public roads shall be provided, by the property owner, with suitable gates, access roads and fire lanes so accessible to fire fighting apparatus.

- A. Requirements. Fire lanes shall be provided for all buildings, with the exception of one- and two-family dwellings, which are set back more than one hundred fifty (150) feet from a public road or exceed thirty (30) feet in height and are set back more than fifty (50) feet from the address side of the building (main entrance); or any building, with the exception of one- and two-family dwellings, which owing to the location and fire department accessibility as determined by the Chief of Fire Prevention. Fire lanes shall be at least twenty (20) feet in width, with the road edge closest to the building at least ten (10) feet from the building with the above-mentioned exceptions which may not meet the requirements as specifically set forth herein but which, in the discretion of the Chief of the Fire & Rescue Service, require such lanes for a clear and unobstructed approach to the building.
- B. Dead-end roads. Any dead-end road more than three hundred (300) feet long shall be provided with a turn around at the closed end at least ninety (90) feet in diameter.
- C. Standpipes and sprinkler system connections. All premises which are equipped with standpipe and/or sprinkler system connections shall provide a clear and unobstructed access to said connections. Such access lanes shall be at least twenty (20) feet in width and shall be otherwise regarded, for the purposes of this chapter, as a fire lane.
- D. Designation of fire lanes. The designation of the fire lanes on private property shall be established as specified by the Chief of the Fire Department.
- E. Responsibility for posting and maintaining of fire lanes. It shall be the responsibility of the property owner to post with approved signs and/or mark all designated fire lanes, as required by the Chief of Fire Prevention.
- F. Record of location of fire lanes. An official record of fire lanes, as designated in accordance with this chapter, shall be kept with the Bureau of Fire Prevention.
- G. Enforcement. Enforcement shall be the responsibility of the local law enforcement agency and/or the Bureau of Fire Prevention.

109-11. Prohibition of Class C Fireworks.

- A. In accordance with the provisions of RSA 160-A, it shall be illegal for any person, firm, partnership or corporation to offer for sale, expose for sale, sell at retail, purchase, possess, use or explode any fireworks without a permit. There shall be no permits granted, except by the City of Dover for programs and displays approved by the Fire Chief and the Police Chief, for the sale, purchase, possession, use or explosion of Class C fireworks.

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- B. In addition to the penalty provisions of RSA 160-A, a violation of this ordinance may be subject to the general penalty provisions of Section 109-8 of the Dover Code.
- C. This ordinance shall be construed consistently with the NFPA 1, Fire Prevention Code, 2000 Edition, Chapter 31, as adopted as Section 109-2 of the Dover Code, and is not meant to repeal any section thereof.

109-12. Modifications.

The Chief of the Bureau of Fire Prevention shall have power to modify any of the provisions of the Fire Prevention Code upon application, in writing, by the owner or lessee or his duly authorized agent when there are practical difficulties in the way of carrying out the strict letter of the code provided that the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Chief of the Bureau of Fire Prevention thereon shall be entered upon the records of the Department, and a signed copy shall be furnished the applicant.

109-13. Appeals.

Whenever the Chief of the Bureau of Fire Prevention shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Bureau of Fire Prevention to the Chief of the Dover Fire & Rescue Service.

109-14. New materials, processes and occupancies.

Chief Executive Officer of the City of Dover, New Hampshire, the Chief of the Dover Fire & Rescue Service and the Chief of the Bureau of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in said code. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

109-15. Violations and penalties.

- A. Any person who shall violate any of the provisions of Dover Code 109 Article I, as hereby adopted or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specifications or plan submitted and approved thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Chief of the Fire & Rescue Service or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than one-hundred dollars (\$100) nor more than five-hundred dollars (\$500) for each offense. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

ARTICLE II Life Safety Code

109-16. Statutory authority.

This Article is enacted pursuant to the authority granted by Section 22 of Chapter 47 of the New Hampshire Revised Statutes Annotated.

109-17. Adoption of standards.

In the interest of public safety, the standards set forth in the National Fire Protection Association code for safety to life from fire in buildings and structures known and referred to as the "NFPA 101, Life Safety Code, 2000 Edition," are hereby adopted as of set forth herein by the City of Dover as safety standards to improve safety of the public by promoting the control of fire hazards, regulating the installation, use and maintenance of equipment, the use of structures, premises and open areas, providing for the abatement of fire hazards and setting forth standards for compliance to achieve these objectives.

109-18. Emergency lighting.

In addition to the requirements of NFPA 101, Life Safety Code, 2000 Edition, emergency lighting shall be required in all common hallways, in all business occupancies open to the public after 5:00 p.m.

109-19. Smoke Detection Requirements

In addition to the requirements of NFPA 101, Life Safety Code, 2000 Edition and International Residential Code for 1 and 2 Family Homes, First Edition and International Building Code for 3 Family and Above and Commercial Buildings, 1996 Edition, interconnected smoke detectors powered by the house electrical system with accompanied battery back-up, shall be installed in each level of each common area, each level of each dwelling unit and in each bedroom of each dwelling unit. Said detectors are required in all new residential properties and all residential properties used for rental purposes which do not have an electric smoke detector in each of the following locations:

- a. One on each floor of the unit.
- b. One on each level of common area, including the basement and excluding the attic.

Existing residential properties used for rental purposes, which meet the requirements of 109-12 a. and b. above, are considered in compliance with this section.

109-20. Tenant's Responsibilities

It shall be the responsibility of the tenant(s) of a rented or leased residential dwelling or complex to ensure that the smoke detector(s) installed in accordance with state and local codes are not rendered inoperative by damaging or disconnecting said detector. Any person found to have disconnected a smoke detector, damaged a smoke detector or otherwise cause a smoke detector to be rendered inoperative, in a rented or leased residential dwelling or complex, shall be guilty of a violation.

109-21. Copies to be kept on file.

The office of the City Clerk shall keep three (3) copies of the National Fire Protection Association Life Safety Code on file and accessible to the public during regular business hours.

109-22. Availability of copies.

Copies of the National Fire Protection Association Life Safety code are available from the National fire protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

109-23. Administration and enforcement. [Amended 09-17-03 by Ord. No. 15-2003]

The authority having jurisdiction for the administration and enforcement of this chapter shall be the Bureau of Fire Prevention of the City of Dover Fire & Rescue Service. The Fee Schedule under this Chapter shall be as follows:

SYSTEM PLAN REVIEW FEES:**Fire Suppression Systems:**

NFPA 13D system (per riser): 55.00

NFPA 13R system (per riser): 110.00

NFPA 13 systems (per riser):

Up to 10,000 square feet of protected area 220.00

10,001, square feet to 25,000 square feet 385.00

25,001 square feet to 52,000 square feet 550.00

Partial sprinkler system (not complete building protection):

Up to 6 sprinkler heads 30.00

7 to 20 sprinkler heads 110.00

Standpipe systems (not part of combined sprinkler/standpipe systems):

Up to 3 floors (per riser) 110.00

Add per floor beyond 3 add 55.00

Carbon dioxide systems:

Pre-engineered systems, each 110.00

Engineered systems, each 220.00

Clean agent extinguishing systems:

Pre-engineered, each 150.00

Engineered, each 220.00

Dry chemical systems:

Pre-engineered systems:

Commercial cooking 75.00

Service station pump protection 55.00

Other systems

Engineered, each 220.00

Wet chemical systems, each 75.00

Modification to existing suppression systems (each system):**Water and/or foam systems (all types):**

1-6 heads (addition of heads) 27.50

7-20 heads (addition of heads) 110.00

21-100 heads (addition of heads) 220.00

Add for each head beyond 100 1.00

Change in head location only/per floor 27.50

Standpipe systems up to 3 floors: 55.00

Add for each floor beyond 3 55.00

Carbon dioxide systems 75.00

Clean agent extinguishing systems 75.00

Dry chemical systems 75.00

Wet chemical systems 75.00

Fire Alarms Systems:**Automatic fire detection systems:**

Up to 49 devices	110.00
50-99 devices	220.00
Add for each device beyond 99	1.00

Modification to Automatic fire detection systems:

1-10 devices	55.00
11-100 devices	110.00
Add for each device beyond 100	1.00

Commercial cooking ventilation systems:

Including suppression system	200.00
Not including suppression system	150.00

Fire pump installation

275.00

Fire water tanks/cisterns:

Aboveground	110.00
Underground	165.00

PERMIT FEES:**Explosive/blasting (per site):**

Up to 5 days	110.00
Add for each additional day beyond 5	11.00

Oil burner installation:

Residential	30.00
Commercial	110.00

Underground storage tanks (other than water):

Removal only	55.00
Installation only	165.00
Removal and reinstallation	165.00

INSPECTION FEES:

Family day care homes (up to 6 children)	27.50
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Group day care homes (7 to 12 children)	38.50
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Day care centers and/or nurseries (more than 12 children or more than 4 children under the age of 2 years old)	55.00
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Foster care (up to 3 children)	27.50
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Residential board and care:

4 to 16 persons	82.50
More than 16 persons	137.50
Residential placement (up to 3 adults)	27.50

Rooming/lodging home inspections:

Up to 16 beds	82.50
More than 16 beds	137.50

109-24. Violations and penalties.

Any person, persons, firm corporation or partnership who shall violate any provisions of this code or shall fail to comply with any of the requirements of Dover Code 109 Article II, shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that a violation continues to exist shall constitute a separate offense.

ARTICLE III Fire Control

109-25. Inspection of certain public places.

All public halls or other rooms or buildings used, wholly or in part, for theatrical or other entertainment or for exhibits of any nature or in which people assemble for dancing or for other social or recreational purposes shall be subject to inspection at any and all time by the Fire Chief or the Chief of Police, and any and all mandates or orders issued by said officials, or either of them, in the interest obeyed forthwith by any owner or lessee of such hall or to obstruct either of said officials in the discharge of his duty.

109-26. Barbecue pits.

Within any multi-family dwelling, or within fifteen (15) feet of any multi-family dwelling of three (3) units or more, it shall be unlawful to burn barbecues, pits, hibachis, gas grills or the like. Within any multi-family dwelling, or within fifteen (15) feet of any multi-family dwelling of three (3) units or more, it shall be unlawful to store combustible or flammable fuel utilized for the operation of barbecues, pits, hibachis, gas grills or the like.

109-27. Oil burners and equipment.

The Rules and Regulations of the New Hampshire Board of Fire Control covering the installation of power oil burners and oil-burner equipment, as issued by the Board of Fire Control, office of Fire Marshal, Concord, New Hampshire, on July 1, 1950, in accordance with the provisions of Laws 1947, c. 251, as amended (RSA 153), are hereby adopted to be in effect in the City of Dover.

109-28 Fire Hydrant Obstruction.

It shall be unlawful for any person or persons to block or obstruct access to any fire hydrant by any means to include but not limited to snow, trash, boxes, furniture, debris, etc.

109-29. Violations and Penalties. [Amended 09-17-2003 by Ord. No. 16-2003]

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 109, Article III shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense.

A. Reimbursement Costs.

In the event that the cost for fire department apparatus and/or equipment use is reimbursable under city or state statute, the following rates for the use of apparatus and equipment shall apply:

Aerial Apparatus:	\$250 per hour/ one hour minimum
Pumper apparatus:	\$100 per hour/ one hour minimum
Squad Apparatus:	\$100 per hour/ one hour minimum
Boat:	\$ 50 per hour/ one hour minimum
Medical Units:	\$ 50 per hour/ one hour minimum
Support Units:	\$ 25 per hour/ one hour minimum

Personnel costs shall be billed at the minimum of one hour at the employee's actual costs, to include applicable hourly rate, retirement and healthcare costs. An administration fee of 5% shall be added to all costs that require reimbursement bill procedures

ARTICLE IV

Fire Suppression Systems

109-30. Installation of sprinkler system required.

Fire suppression sprinkler systems shall be installed and maintained in full operating condition in all new construction as required by the International Residential Code for 1 and 2 Family Homes, First Edition and International Building Code for 3 Family and Above and Commercial Buildings, 1996 Edition and as required by NFPA 101 Life Safety Code 2000 Edition, except as amended below:

- A. Sprinkler systems shall be installed in all new commercial structures, in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 1996 Edition, as indicated in this section or in existing structures undergoing alterations or expansion whereby the total costs for such alterations or expansion are fifty percent (50%) or larger of the most recent structure evaluation or whereby an occupancy changes from one use group to another or from one use group subclassification to another subclassification of the same occupancy. [Amended 11-17-04 by Ord. No. 21-2004]
1. **Assembly** occupancies over 5,000 square feet.
 2. **Educational** occupancies to include schools only.
 3. **Health Care** occupancies.
 4. **Detention and Correctional** occupancies except those with an occupancy of less than six (6).
 5. **Residential** occupancies over four (4) stories in height.
 6. **Mercantile** occupancies over 5,000 square feet.
 7. **Business** occupancies over 5,000 square feet.
 8. **Industrial** occupancies over 12,000 square feet.
 9. **Storage** occupancies over 12,000 square feet.
- B. Sprinkler systems shall be installed in all new residential structures, in accordance with NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, 1996 Edition, as indicated in this section or in existing structures if alterations or expansion is such that it adds an additional living unit or it increases the number of individual units to three (3) or more.
1. **Residential** occupancies four (4) stories in height or less, regardless of fire wall separation, except one- and two-family occupancies.

109-31. Water main tie-in fees.

Notwithstanding the provisions of Section 109-22 or any other provision of law to the contrary, in the event that a fire suppression sprinkler system is required by this ordinance, all permit or tie-in fees which are otherwise imposed by law for access to City of Dover water mains shall be waived.

109-32. Violations and Penalties.

Any person, persons, firm, corporation or partnership who shall violate any provisions of this Article IV or who shall fail to comply with any of the requirements thereof shall be guilty of a violation punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each day that a violation continues to exist shall constitute a separate offense.

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109-33. Public Safety Amplification System Required in Large Facilities.

The purpose of this system is to provide minimum standards to insure a reasonable degree of reliability for emergency services communications from within certain buildings and structures within the city to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

1. Applicability.

The provisions of this article shall apply to:

- i. New buildings greater than fifty thousand (50,000) square feet;
- ii. Existing buildings over fifty thousand (50,000) square feet when modifications, alterations or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%); and
- iii. All sublevels, regardless of the occupancy, over ten thousand (10,000) square feet.

2. Radio coverage.

- (a) Except as otherwise provided in this article, no person shall erect, construct or modify any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for firefighters and police officers.
- (b) The city's fire department with consideration of the appropriate police, fire and emergency medical department services shall determine the frequency range or ranges that must be supported.
- (c) For the purpose of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the communications centers for all appropriate emergency service providers for the building.

3. Inbound into the building.

- (a) A minimum average in-building field strength of 2.25 micro-volts (-100dbm) for analog and five (5) micro-volts (-93dbm) for digital systems throughout eighty-five percent (85%) of the area of each floor of the building when transmitted from the city's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

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- (b) If the field strength outside the building where the receive antenna system for the in-building system is located is less than (-100dbm) for analog, or (-93dbm) for digital systems, then the minimum required in-building field strength shall equal the field strength being delivered to the receive antenna of the building.
- (c) As used in this article, eighty-five percent (85%) coverage or reliability means the radio will transmit eighty-five percent (85%) of the time at the field strength and levels as defined in this article.

4. Outbound from the building.

A minimum average signal strength of 112 micro-volts (-6dbm) for analog and five (250) micro-volts (+1dbm) for digital systems as received by the city's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

FCC authorization. If amplification is used in the system, all FCC authorizations must be obtained prior to use of the system. A copy of these authorizations shall be provided to the city's fire department.

5. Enhanced amplifications systems.

- (a) Where buildings and structures are required to provide amenities to achieve adequate signal strength, they shall be equipped with any of the following to achieve the required adequate radio coverage; radiating cable system(s), internal multiple antenna system(s) with an acceptable frequency range and an amplification system(s) as needed, voting receiver system(s) as needed, or any other city approved system(s).
- (b) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operation of an independent battery or generator system for a period of at least eight (8) hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power.
- (c) Amplification equipment must have adequate environmental controls to meet the heating, ventilation, cooling and humidity requirements of the equipment that will be utilized to meet the requirements of this code. The area where the amplification equipment is located also must be free of hazardous materials such as fuels, asbestos, etc.

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All communications equipment, including amplification systems, cable and antenna systems shall be grounded with a single point ground system of five (5) ohms or less. The ground system must include an internal tie point within three (3) feet of the amplification equipment. System transient suppression for the telephone circuits, ac power, radio frequency (RF) cabling and grounding protection are required as needed.

- (d) The following information shall be provided to the Fire Department by builder:
 - i. A blueprint showing the location of the amplification equipment and associated antenna systems which includes a view showing building access to the equipment; and
 - ii. Schematic drawings of the electrical, backup power, antenna system and any other associated equipment relative to the amplification equipment including panel locations and labeling.

6. Testing procedures – method to conduct tests.

- (a) Tests shall be made using frequencies close to the frequencies used by the police and appropriate emergency services. If testing is done on the actual frequencies, then this testing must be coordinated within the city's fire department. All testing must be done on frequencies authorized by the FCC. A valid FCC license will be required if testing is done on frequencies different from the police, fire or emergency medical frequencies.
- (b) Measurements shall be made using the following guidelines:
 - i. With a service monitor using a unity gain antenna on a small ground plane;
 - ii. Measurements shall be made with the antenna held in a vertical position at three (3) to four (4) feet above the floor;
 - iii. A calibrated service monitor (with a factory calibration dated within twenty-four (24) months) may be used to do the test;
 - iv. The telecommunications unit representative for the city may also make simultaneous measurements to verify that the equipment is making accurate measurements. A variance of 3db between the instruments will be allowed; and
 - v. If measurements in one location are varying, then average measurements be used.

7. Initial tests.

- (a) All testing shall be done in the presence of a fire department representative at no expense to the city or appropriate emergency services department.
- (b) Signal strength, both inbound and outbound as defined above, shall be measured on each and every floor above and below ground including stairwells, basements, penthouse facilities and parking areas of the structure. The structure shall be divided into fifty (50) foot grids and the measurements shall be taken at the center of each grid.

8. Annual tests.

Annual tests will be conducted by the city's telecommunications unit or appropriate emergency services department. If communications appear to have degraded or if the tests fail to demonstrate adequate system performance, the owner of the building or structure is required to remedy the problem and restore the system in a manner consistent with the original approval criteria. The re-testing will be done at no expense to the city or the appropriate emergency services departments as required in the original testing procedures.

9. Field Testing.

Police and Fire personnel, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present. Certificates of Occupancy may be denied for new and existing buildings for failure to comply with these requirements.

10. Violations and Penalties.

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 109, Article III shall be guilty of a violation punishable by a fine of not less than one-hundred dollars (\$100) or not more than five-hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense."